

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Gary D. Fox**

vs.

**CASE NUMBER: 6:02-CV-1160 FJS/RFT**

**Commissioner of Social Security**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That the Report and Recommendation of Magistrate Judge Randolph F. Treece is adopted in its entirety, the Commissioner's decision denying disability benefits is affirmed. Judgment is hereby entered in favor of the Commissioner of Social Security.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, dated the 13<sup>th</sup> day of February, 2009.

DATED: February 17, 2009



Laurence A. Barron  
Clerk of Court

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Joanne Bleskoski  
Deputy Clerk